

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF PENNSYLVANIA**

**JOUREY NEWELL**

**Case No. 2:25-cv-01018-GJP**

Plaintiff,

v.

**LENDVIA LLC,**

Defendant.

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**DECLARATION OF JOUREY NEWELL**

1. My name is Jourey Newell. I am over 18 years old. I can testify competently to the undersigned statements.
2. My telephone number 484-XXX-XXXX is on the National Do-Not-Call Registry.
3. My telephone number 484-XXX-XXXX is a cellular telephone number.
4. I am the user of 484-XXX-XXXX.
5. The 484-XXX-XXXX number is registered in my name and I am the subscriber of record.
6. I have not and did not have any need for financing or loan services, including those of the type offered by LendVia.
7. I did not visit the website upfinances.com, nor would I have any reason to have visited the website.
8. Consequently, I unequivocally state that I did not submit any information, including any of my information to that website, either.
9. I did not give anyone else permission to visit the website submit information to it.
10. I did not provide consent, nor did I authorize anyone to do so on my behalf, to receive calls, text messages, or arbitrate claims in any manner whatsoever.

11. I have never visited the UpFinances website, upfinances.com, nor ever seen any of its contents or terms of use, prior to the Defendant filing its motion.

12. Indeed, to this day, I have no clue who owns or operates the UpFinances website, particularly as that name is not registered as a fictitious name with Pennsylvania.

13. I am a Pennsylvania resident.

14. I am not and have never been a customer of UpFinances or LendVia, nor entered into any contract or agreement with them.

15. As such, I had no notice of the arbitration provision on UpFinances' website and certainly did not agree to such provision because I did not visit the website at all.

16. I did not have any notice of those terms and conditions until the Defendant filed its motion.

17. I certainly did not agree to arbitrate my claims against the Defendant or UpFinances, nor would I ever have agreed to do so.

18. I understand that Defendant claims there is a video recording of me submitting information to the website. I have not seen such recording, but I can confidently say that I made no such website visit, and no such video recording of me submitting my information to a website exists.

19. However, without seeing the actual video recording of the website visit or its contents, I would only be speculating as to what happened.

20. Similarly, I understand that Defendant is in possession of other information appurtenant to the website visit, including the information submitted, the time of the submission, the device used, and IP address used. I have not seen such evidence, but I can confidently say that I made no such website visit, and no such evidence will match me.

21. However, without seeing this purported evidence, the purported website visit, or its contents, I would only be speculating as to what happened.

22. I have never agreed to arbitrate my claims against UpFinances, or LendVia.

23. I have reviewed the other assertions in the Defendant's motion. They are perplexing and utterly false because I did not visit the website as I am alleged to have.

24. It further perplexes me why Defendant would claim to have a video of me submitting my information to the website but did not produce it.

25. To be clear, I do nothing to precipitate the illegal calls and messages which are placed to me. I do not want these communications, but they continue to be placed to me. They are highly annoying and disruptive.

26. I have never proactively created or found TCPA claims nor entrapped businesses. I do not welcome nor invite these illegal calls and have taken measures for them to stop, including by placing my number on the Do-Not-Call Registry and holding those who call me accountable for their actions.

27. I was harmed by the Defendant's calls. Illegal calls are frustrating, obnoxious, and annoying. They are a nuisance and disturbed my solitude.

28. My number is on the Do-Not-Call Registry, and I did not provide any consent for anyone to send this call to me, especially not through the use of an artificial or prerecorded voice, and not after I asked them to stop and they did not.

29. I do not and have never welcomed nor wanted illegal calls and do nothing to receive or deserve them. My injury was done completely at the hands of Defendant, who took it upon itself to call me using prerecorded message calls in violation of the TCPA.

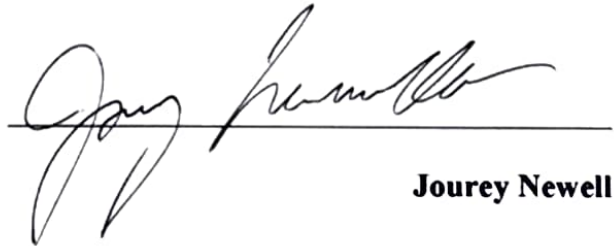
30. I brought this case as a class action because I know that there are likely thousands more people in a similar situation such as myself, having received calls from Defendant without their consent.

31. I was not paid by anyone to investigate these calls.

32. I brought this case not for personal motives or financial gain, but as a bulwark for the rights of consumers against illegal telemarketing. I was not paid by anyone to do so.

**I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.**

**Executed this 28th day of May 2025, in the United States of America,**

A handwritten signature in black ink, appearing to read "Jourey Newell", is written over a horizontal line. The signature is fluid and cursive.

**Jourey Newell**